

**TESTIMONY OF THE  
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE**

**BEFORE THE JOINT STANDING COMMITTEE ON  
INLAND FISHERIES AND WILDLIFE**

**IN OPPOSITION TO  
L.D. 609**

**“An Act To Provide an Incentive to Nonresident Landowners Who Own More than 250  
Acres To Keep That Land Open for Hunting”**

**SPONSORED BY: Representative MARTIN of Eagle Lake**

**CO-SPONSORED BY:** Senator DAVIS of Piscataquis and Representatives:  
FREDETTE of Newport, MARTIN of Sinclair, McCABE of Skowhegan, STANLEY of  
Medway, Senators: BURNS of Washington, EDGECOMB of Aroostook, PATRICK of  
Oxford.

**DATE OF HEARING: March 26, 2015**

Good afternoon Senator Davis, Representative Shaw and members of the Inland Fisheries and Wildlife Committee. I am Lt. Dan Scott, of the Maine Warden Service representing the Department of Inland Fisheries and Wildlife, speaking on behalf of the Department in opposition to **L.D. 609**.

**L.D. 609** would authorize the Commissioner of Inland Fisheries and Wildlife to issue hunting and fishing licenses at a reduced rate to a nonresident who owns more than 250 acres of land in this State and keeps that land open for hunting.

In Maine over 94% of all land is privately owned and most is left open to hunting and fishing. We can never thank private landowners enough for the opportunities they have provided to the recreational users of their land and we are committed to working with the various user groups to show appreciation and deal in a proactive and reactive manner to landowner issues as they arise.

Currently landowners who own more than 25 contiguous acres which is agricultural, forested or undeveloped land and left open to hunting, including hunting by permission can be entered into a special landowners drawing for any-deer permits.

Although this is well intended legislation, each year we receive numerous complaints on landowners who have posted their land but received any-deer permits. Most of the time, it is determined that the landowner has allowed someone to access the property, thus meeting the requirement of the statute, but not necessarily the intent of access as intended by the legislature. We also receive complaints of fraud, as there is no easy way for IFW's licensing division to research each and every application to determine if they have met all the requirements for the

special landowner drawing statute when the application is received. Examples of fraud may include an applicant who owns less than the required 25 acres or an applicant who does not own land at all. Verification of qualified applicants would require inspection of deeds or tax bills or other legal documentation.

This bill as written does not benefit the vast majority of landowners who leave their land open for recreational use, it only benefits non-resident landowners. The Department, as currently staffed would not have ample resources to determine the eligibility of the individuals listed in this particular piece of legislation. Although the intent may be good, the logistics of managing this would be highly problematic and require the Department to properly examine any and all applicant's deeds and also further inspect the property to ensure that it is being left open and not restricting permission. Some questions you may want to consider would be what level of access would be required, would access by permission only be permitted, and how would IFW verify that anyone is allowed access to the property?

The Department appreciates all private landowners who allow public access. We believe the individual recreational users of the property play a key role in continuing this Maine tradition. There is no replacement of an outdoor user assisting and appreciating landowners with maintenance and acting as stewards of the property. This show of appreciation has proven to be the most effective method in landowners making the choice to allow public access to their private property.

I would be happy to answer any questions you may have.